

JPW

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application No.	10/749,417		
Filing Date	December 31, 2003		
First Named Inventor	Jae-Hyup Kim		
Art Unit			
Examiner Name			
Total Number of Pages in This Submission	10	Attorney Docket Number	51876P578

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	<div style="border: 1px solid black; padding: 5px;">Korean Office Action w/English translation; 2 prior art references; return postcard</div>
<input checked="" type="checkbox"/> PTO/SB/08	<input type="checkbox"/> CD, Number of CD(s)	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA	<input type="checkbox"/> Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Eric S. Hyman, Reg. No. 30,139 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
Signature	
Date	1/30/06

### CERTIFICATE OF MAILING/TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed or printed name	Melissa Stead
Signature	
Date	1-30-06



FEB 03 2006

# FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT

(\$)

## Complete if Known

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Filing Date	December 31, 2003
First Named Inventor	Jae-Hyup Kim
Examiner Name	
Art Unit	
Attorney Docket No.	51876P578

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or underpayment of fee(s)  Credit any overpayments  
 under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

## FEE CALCULATION

## Large Entity      Small Entity

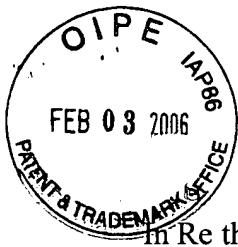
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify) \_\_\_\_\_

SUBTOTAL (2) (\$)

Complete (if applicable)

Name (Print/Type)	Eric S. Hyman	Registration No. (Attorney/Agent)	30,139	Telephone	(310) 207-3800
Signature				Date	1/27/06



Docket No.: 51876P578

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

JAE-HYUP KIM

Application No.: 10/749,417

Filed: December 31, 2003

For: **Apparatus and Method for Sensing  
Illumination by Using Image Sensor**

Art Group:

Examiner:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In accordance with the duty of disclosure, enclosed is a copy of IDS Citation Form PTO/SB/08 or PTO-1449, together with copies of the documents cited on that form, except for copies not required to be submitted (e.g., copies of U.S. patents and U.S. published patent applications need not be enclosed). This IDS and IDS Citation Form are being submitted before the mailing of a first Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

The references were cited in a Search Report dated September 26, 2005 (copy enclosed herewith) in a counterpart which was forwarded to Applicant's Representative in a communication dated September 27, 2005.

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Please charge any fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Eric S. Hyman, Reg. No. 30,139

Date: 1/17/06

12400 Wilshire Boulevard, 7th Floor  
Los Angeles, CA 90025  
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I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Melissa Stead

1-30-06

Date



FEB 03 2006

Substitute for form 1449A/PTC

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(use as many sheets as necessary)*

Sheet

1

6

1

<i><b>Complete if Known</b></i>	
Application Number	10/749,417
Filing Date	December 31, 2003
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Art Unit	
Examiner Name	
Attorney Docket Number	51876P578

U.S. PATENT DOCUMENTS

## **FOREIGN PATENT DOCUMENTS**

Examiner Signature		Date Considered	
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Based on PTO/SB/08A (08-03) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 08/11/2003

Send To: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

**TITLE:** *Apparatus and method for sensing illumination by using image sensor*

This application was preliminarily rejected pursuant to Article 63 of the Korean Patent Law based on the following reason. Should there be any opinion against this action, please file a written argument by November 26, 2005. (You can apply for 1-month extension per each case, and we do not notify you of the confirmation for such term extension.)

**[REASON]**

This invention described in claims 1 to 10 can be easily invented by those skilled in the art as pointed out below. Accordingly, the above-identified patent application cannot be registered pursuant to Article 29, Paragraph 2 of the Korean Patent Law.

**[BELOW]**

This invention described in claims 1 to 6 of the present invention is directed to an illumination sensing apparatus and a method for generating a light-emitting controlling signal or a light-emitting on/off signal with reference to image data and a gain generated from each gain of Red, Green and Blue (RGB) and controlling illumination of an internal light-emitting device or turning on/off the light-emitting device. The claims 2 to 5 are additional claims for the above apparatus and the claims 7 to 10 are additional claims for the above method.

Meanwhile, Korean Patent Application No. 2003-035400 (reference 1), published on May 9, 2003, discloses a peripheral brightness determining method for controlling display brightness to acquire a luminance mean value of a central region corresponding to an automatic gain control (AGC) reference region and a peripheral region of a photo screen from an image signal based on photographing of a camera in a terminal, compare the luminance mean value with a predetermined peripheral brightness value and control the brightness of the display, and a display brightness controlling method using the same. The present invention is similar to the reference 1 controlling the brightness of the display from image data by using an image pickup device having the AGC function.

Also, Korean Patent Application No. 2002-050766 (reference 2), published on June 27, 2002, discloses a display brightness controlling method for optimally controlling the brightness of moving picture terminal display by sensing brightness of external light of the terminal by an image sensor and controlling power of a light-emitting diode of a liquid crystal display. Accordingly, the present invention is similar to the reference 2 in controlling the power of the light-emitting diode by sensing the external brightness by using the image sensor.

Therefore, it is concluded that the present invention can be easily invented by those skilled in the art by selecting and combining the references 1 and 2

*[Attachment]*

- 1. *Korean Patent Publication No. 2003-035400*  
*(Published on May 9, 2003)*
- 2. *Korean Patent Publication No. 2002-050766*  
*(Published on June 27, 2002)*